

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ILLINOIS NATIONAL INSURANCE COMPANY,  
THE INSURANCE COMPANY OF THE STATE  
OF PENNSYLVANIA, and NATIONAL UNION  
FIRE INSURANCE COMPANY OF  
PITTSBURGH, PA,

Plaintiffs,

v.

TUTOR PERINI CORPORATION,

Defendant.

TUTOR PERINI CORPORATION,

Counter-  
Plaintiff,

v.

ILLINOIS NATIONAL INSURANCE COMPANY,  
THE INSURANCE COMPANY OF THE STATE  
OF PENNSYLVANIA, and NATIONAL UNION  
FIRE INSURANCE COMPANY OF  
PITTSBURGH, PA,

Counter-  
Defendants.

CASE NO. 11-CV-00431 (KBF)

**NOTICE OF APPEAL**

Notice is hereby given that Defendant and Third Party Plaintiff Tutor Perini Corporation ("Tutor Perini"), by and through its undersigned counsel, hereby appeals to the United States Court of Appeals for the Second Circuit from the judgment entered in this case on November 19, 2012 (D.E. 129) granting the respective motions for summary judgment of Plaintiffs Chartis<sup>1</sup> and Third-Party Defendant Certain Underwriter of Lloyd's, London's ("Lloyd's") and dismissing this action in its entirety (the

<sup>1</sup> "Chartis" collectively refers to Plaintiffs Illinois National Insurance Company, The Insurance Company of the State of Pennsylvania, and National Union Fire Insurance Company of Pittsburgh, Pa.

"Judgment"), which was entered for the reasons set forth in the Memorandum Decision and Order dated November 15, 2012 (D.E. 128).

Dated: New York, New York  
December 19, 2012

Respectfully submitted,

By: /s/ Vianny M. Pichardo

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